

MTG 13916-9527

1-1-74

70167

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 198 Page 42581



KNOW ALL MEN BY THESE PRESENTS, That Alex Fleming and Velma Fleming, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by W. M. Roberts and Norma A. Roberts, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

A portion of the SE 1/4 of Section 26, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at the East quarter corner of said Section 26; thence West 873 feet to a point; thence South 990 feet to a point; thence East 873 feet to a point; thence North 990 feet to the point of beginning.

(For continuation of this legal description, see reverse side of this Warranty Deed.)

AMERITILE, has recorded this Instrument by request as an accomodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

(If SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

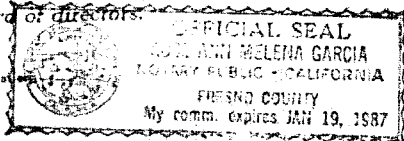
And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed, and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 52,500.00. However, the actual consideration consists of or includes other property or value given or promised which is ~~not~~ ^{part of the} consideration ~~therein~~ ^{which}. (The sentence between the symbols (), if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this March day of 1983; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporate officer, affix corporate seal)



STATE OF ~~OREGON~~ CALIFORNIA) ss.
County of Fresno
March 3, 19 83

Personally appeared the above named Alex Fleming and Velma Fleming, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Rose Ann Melena Garcia
(OFFICIAL SEAL) Notary Public for ~~OREGON~~ CALIFORNIA
My commission expires

Alex Fleming
Alex Fleming

Velma Fleming
Velma Fleming

STATE OF OREGON, County of Fresno) ss.
March 3, 1983, 19 83

Personally appeared Alex Fleming and Velma Fleming who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Rose Ann Melena Garcia (OFFICIAL SEAL)
Notary Public for ~~OREGON~~ California
My commission expires: 1-27-87

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Norma A. Roberts
34610 Sprague River Rd.
Sprague River, OR 97639

NAME, ADDRESS, ZIP

Until a change is requested all but statements shall be sent to the following address.

SAME - NO CHANGE

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of Fresno) ss.

I certify that the within instrument was received for record on the March 3 day of 1983, at 11 o'clock AM, and recorded in book/reel/volume No. 198 on page 42581 or as document/fee/file/instrument/microfilm No. 198. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By Alex Fleming Deputy

1000-OPS-07M

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ALSO, a portion of the SE 1/4 of Section 26, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at a point 873 feet West from the East quarter corner of said Section 26; thence from said point of beginning, West 873 feet to a point; thence South 990 feet to a point; thence East 873 feet to a point; thence North 990 feet to the point of beginning.

Subject, however, to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

2. Subject to the requirements and provisions of ORS Chapter 481 pertaining to the registration and transfer of ownership of a Mobile Home and any interest or liens disclosed thereby.

3. Conditions and restrictions as contained in Deed to Restricted Indian Lands, recorded December 2, 1957, in Volume 296, page 63, Deed Records of Klamath County, Oregon, to-wit:

"This conveyance is made pursuant to the provisions of the Act of May 27, 1902 (32 Stat. 275; 25 U.S.C. 379). Title to the above described property is conveyed subject to any existing easements for public roads and highways for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record. All subsurface rights, except water are hereby reserved in trust, to the grantors pursuant to the provisions of the Act of August 13, 1954 (68 Stat. 720)." (Affects N 1/2 SE 1/4, N 1/2 S 1/2 SE 1/4, SW 1/4 of Sec. 26.)

4. Conditions and restrictions as contained in Deed from Robert C. Johnson, et ux, to Mitchell Dean Rose, et ux, recorded August 23, 1971, in Volume M71, page 8883, Microfilm Records of Klamath County, Oregon, to-wit:

"Also reserving a right of way for road and utility purposes over existing roads."

5. Proceedings pending in the Circuit Court of the State of Oregon for the County of Klamath, File No. 81-718-2, in the matter of Terry S. Johnston, Petitioner, vs. Gerald F. Coyle, et al, Respondents. Said action being a Petition to Establish a Way of Necessity. Filed June 3, 1981.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 20th day of November A.D., 19 98 at 11:15 o'clock A. M., and duly recorded in Vol. M98 of Deeds on Page 42581.

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Kottlum Ross